

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION**

**JAMES R. BARNES, and wife, DOROTHY )  
G. BARNES; GRADY H. BEARD and wife, )  
SUZY M. BEARD; WAYNE BEHELER; )  
JAMES L. COBB and wife REBEKAH )  
COBB; BARNEY MERRILL GRANT and )  
wife, HAZEL GRANT; E.F. GREENE, JR. ; )  
BENJAMIN G. GROGAN and wife, HELEN )  
D. GROGAN; JOEANN S. HANCOCK, )  
Individually and as Representative of the )  
Estate of Marion Hancock, Deceased; )  
JERRY LEE HEWELL and wife, JANICE )  
HEWELL; BETTY S. HONGISTO, )  
Executrix of the Estate of Iver Oscar )  
Hongisto, Deceased; VIRGINIA F. HORNE, )  
Individually and as Executrix of the Estate of )  
Jimmy R. Horne, Sr., Deceased; WILLIAM )  
D. JOYCE and wife, PATSY F. JOYCE; )  
ROBERT L. MAUNEY and wife, TERESA )  
MANUEY; ROGER D. PHILLIPS; )  
GERALD W. RICHARDS and wife, SUSAN )  
H. RICHARDS; LARRY K. BROOME and )  
wife, TREVA E. BROOME; ROGER D. )  
CHURCH and wife, LORETTA H. )  
CHURCH; SHARON C. COBB, Executrix of )  
the Estate of ORVIL L. CUPP; CURTIS H. )  
CUTHBERTSON, Administrator of the )  
Estate of Hoy V. Cuthbertson, Deceased; )  
ALTON L. HUGHES and wife, LENA M. )  
HUGHES; and CHARLES M. McGINNIS )  
and wife, AVA P. McGINNIS, )**

**Plaintiffs,**

**v.**

**A. W. CHESTERTON, INC., *et al.*,**

**Defendants.**

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**Civil Action No.: 5:98:cv92-T**

**ORDER OF DISMISSAL**

**THIS MATTER** is before the Court with the consent of the captioned Plaintiffs and Defendant, Rapid American Corporation, to dismiss without prejudice, all claims of said Plaintiffs against that Defendant.

It appearing that all parties have consented to the relief requested herein,

**IT IS, THEREFORE, ORDERED, ADJUDGED, and DECREED** that the claims of the captioned Plaintiffs against the Defendant, Rapid American Corporation, are **HEREBY DISMISSED WITHOUT PREJUDICE** and this case is terminated as to that Defendant.

Signed: July 3, 2007



Lacy H. Thornburg  
United States District Judge



WE MOVE:

WE CONSENT:

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s/James D. Gandy, III

James D. Gandy, III

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Pierce, Hems, Sloan & McLeod, LLC

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Charleston, SC 29413

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Attorney for Defendant

Rapid American Corporation

\_\_\_\_\_  
s/ Janet Ward Black

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